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VIA ECFS

February 27, 2014

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Ex Parte* Notice: MB Docket Nos. 09-182, 07-294, 04-256

Dear Madam Secretary:

In compliance with Section 1.1206(b) of the Commission's rules, the undersigned submits this *ex parte* notice relating to the above-captioned proceedings.

On February 27, 2014, Frederick J. Ryan, Jr., President of Allbritton Communications Company, and the undersigned met with Commissioner Mignon Clyburn, Adonis Hoffman, the Commissioner's Chief of Staff, Senior Legal Advisor and Stefanie Frank, Intern, to discuss the local television ownership rules generally and the proposal to attribute "as owned" stations operated pursuant to joint sales agreements ("JSAs") and shared services agreements ("SSAs").

We explained why a holistic approach to reforming the television ownership rules was preferable to a piecemeal approach. Notwithstanding enormous growth in video competition in the two decades since the local ownership rules were first enacted, broadcast ownership remains strictly limited. New restrictions should not be imposed in isolation. The full scope of video distribution must be considered.

We also noted the real, documented advantages to the public from fully integrated stations in a market. An example of an unregulated, cross-platform duopoly is the NewsChannel 8 and WJLA operation in the Washington DC market, which provides on a combined basis 21 hours per day of local news and information programming to viewers. Without the economic advantages of shared facilities and services, including sales, this operation in its current form would not exist. The same economics are equally applicable in a broadcast duopoly context.

Finally, we noted that, in the event the Commission is intent on pursuing a piecemeal approach to the local video marketplace by attributing JSAs as owned stations, it should make the application of any new rule *prospective only*. To do otherwise without permanent or significant grandfathering for existing combinations would result in unnecessary disruption. Licensees have relied on Commission precedent and structured JSAs and SSAs with guidance from the Commission staff in good faith. It would be manifestly unfair to require immediate divestiture.

This is especially true with respect to pending agreements awaiting approval by the Commission. These transactions were negotiated based upon clear precedent and staff guidance provided to the industry over many years. Some pending applications were filed concurrently with others that have already been approved under the same guidelines. To grant some but not others would appear arbitrary and capricious. At a minimum, all pending applications filed prior to any Commission action on attributing JSAs as owned stations should be permitted to close.

In accordance with the Commission's rules this *ex parte* notice is being filed electronically in the above-referenced docket. Please contact the undersigned should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerald N. Fritz", with a long horizontal line extending to the left and a stylized flourish to the right.

Jerald N. Fritz
Senior Vice President,
Legal and Strategic Affairs

cc (via email): Commissioner Mignon Clyburn
Adonis Hoffman, Esq.